

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:21-cv-395

UNITED STATES OF AMERICA

v.

APPROXIMATELY \$37,820 IN UNITED
STATES CURRENCY SEIZED FROM
DANA TYRONE SCARBOROUGH ON
MARCH 22, 2021 AT THE
CHARLOTTE-DOUGLAS
INTERNATIONAL AIRPORT

DEFAULT JUDGMENT

THIS MATTER is before the Court on the United States of America's Motion for Default Judgment in this case. (#8) For good cause shown, the Court will GRANT the Motion and enter this Default Judgment. The Court FINDS AS FOLLOWS:

BACKGROUND

On August 2, 2021, the Government filed a Complaint for Forfeiture *In Rem* (Doc. 1) against the defendant property captioned above. The Complaint alleged that the property constituted money furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of 21 U.S.C. § §841 and/or 843 and was therefore subject to forfeiture.

From August 4, 2021 through September 2, 2021, pursuant to Federal Rules of Civil Procedure, Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Rule G(4)(a), the Government provided Notice by Publication (Doc. 5) of this action. Further, the Government mailed direct notice (Doc. 4) of the Complaint to the following individuals:

- Dana Tyrone Scarborough
- Leslie M. Sammis, Esq., Counsel for Claimant

Notice of the forfeiture of the currency has been properly published and directly provided, there are no claims as to the property, and the time for filing claims has expired. Therefore, on October 7, 2021, on Motion (Doc. 6) of the Government, the Clerk of Court entered default pursuant to Fed. R. Civ. P. 55(a) (Doc. 7). Thus, default judgment is now appropriate.

LEGAL CONCLUSIONS

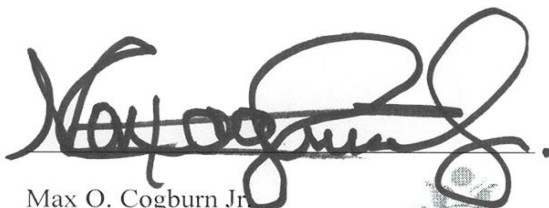
Fed. R. Civ. P. 55 (b)(2) provides for entry of the requested Default Judgment by the Court. Here, the United States has provided notice of forfeiture in accordance with the Federal Rules of Civil Procedure, Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Rule G. No individuals or entities have filed claims and the time period for filing claims has expired. Finally, the Clerk has entered default. Therefore, the requested Default Judgment is appropriate.

BASED ON THE FOREGOING FINDINGS, THE COURT CONCLUDES that the Government is entitled to a Judgment of by Default against the Defendant Property.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Government's Motion for Default Judgment (#8) is hereby **GRANTED**.
2. Any and all right, title, and interest of all persons in the world in or to the following Defendant Property is hereby forfeited to the United States, and no other right, title, or interest shall exist therein: **Approximately \$37,820 in United States Currency Seized from Dana Tyrone Scarborough on March 22, 2021 at the Charlotte-Douglas International Airport.**

Signed: November 24, 2021



Max O. Cogburn Jr.
United States District Judge